

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER QUALITY  
FY 2007 GOALS**

**I. ENVIRONMENT**

**DWQ**

Protect, maintain and enhance the quality of Utah's surface water and ground water to allow appropriate beneficial uses, and protect public health while giving reasonable consideration to economic impacts.

**UPDES ENGINEERING/PERMITS**

Maintain an acceptable UPDES Program per agreement with EPA. The Utah Department of Environmental Quality (DEQ) shall fully implement and enforce its delegated UPDES program (including, as appropriate, general permitting, pretreatment, biosolids, CAFO, and storm water programs) as required by 40 CFR Parts 122-124, 403, 501 and 503, its delegation MOA July 7, 1987, SEA, Inspection Plan, and any other agreements with EPA regarding program implementation. The PPA may specify goals and objectives for activities beyond the base level of performance, but, in no way, should this be interpreted as relief from full implementation of the base program.

DEQ certifies that it has, maintains, and implements an adequate UPDES program including pretreatment, biosolids, CAFO, and storm water in conformance with federal and state laws and regulations and conditions set forth in program authorization (delegation) documents. As long as the DEQ maintains an adequate program, the EPA and the DEQ agree that this Agreement shall remain in effect, except as amended through mutual agreement.

Grant dollars awarded by the EPA may be used by the DWQ UPDES Program to perform core program activities to adequately maintain its UPDES program, even when these activities are not specifically defined by goals, measures, and/or reporting requirements.

- Utah recognizes that the UPDES program is scheduled for an NPDES audit in FY07 by EPA.
- Continue to fully implement the ongoing UPDES pretreatment, biosolids, CAFO, and storm\_water management programs as per the following "CORE PROGRAM ACTIVITIES" and "COMPLIANCE AND ENFORCEMENT ACTIVITIES" together with the annual FY'2006-7 Division of Water Quality, Goals and Objectives contained in section

**UPDES Core Program Activities**

1. DWQ will report the number and percent of facilities that have a discharge requiring an individual permit that: <sup>CPM, W8</sup>
  - (a) are covered by a current UPDES permit (9/1/07 Edith)

- (b) have expired individual permits (3/31/07)
  - (c) have applied for, but have not yet been issued an individual permit 3/31/07 & 9/30/07 Mike Herkimer or John Kennington)
  - (d) have individual permits under administrative or judicial appeal (3/31/07 & 9/30/07 Mike Herkimer or John Kennington)
- 2. Each year, 95% of priority permits and 90% of all permits are issued or reissued within the 5 year statutory time frame. If the number of expired permits is greater than 30% at any time, provide an overall permit issuance/backlog reduction plan showing how the State will expeditiously reduce the backlog to 10%. (8/1/07 Mike Herkimer or John Kennington)
- 3. Number of watersheds in which a watershed permit(s) has been issued. (8/1/07 Mike Herkimer or John Kennington) <sup>WTR</sup>
- 4. Number of storm water sources associated with industrial activity, number of construction sites over one acre, and the number of designated storm water sources (including Municipal Phase I and Phase II) that are covered by a current individual or general UPDES permit or other enforceable mechanism. <sup>CPM W9</sup> (3/31/07 & 9/30/07 Tom R. and Mike G.)
  - a. Number that are covered by each current storm water general permit (e.g., industrial, construction, MS4) (3/31/07 & 9/30/07 Tom R. and Mike G.)
  - b. Number that are covered by current individual storm water permits (e.g., Phase I MS4s) (3/31/07 & 9/30/07) Tom R. and Mike G.)
  - c. Number of expired general or individual storm water permits (12/30/05 & 6/30/06 Tom R.)
- 5. Manage the application of the Storm Water Phase II Regulations. (Ongoing Tom R. and or Mike G.)
- 6. Involve regulatory agencies and the public as necessary to effectively permit storm water discharges. (Ongoing Tom R. and or Mike G.)
  - a. The State program is accessible by the public and regulated entities (i.e., contact information and web sites, etc.).
  - b. Include EPA in the review process prior to issuing general and individual permits for storm water discharges.
  - c. Track storm water general permit coverage and provide data to EPA on regulated agencies consistent with National efforts for data management (PCS/ICIS).
- 7. Identify in ICIS the following Pretreatment Program statistics:

- a. The number of significant industrial users (SIUs) in POTWs with approved Pretreatment Programs,
  - b. The number of significant industrial users (SIUs) in POTWs with approved Pretreatment Programs that have adequate control mechanisms implementing applicable pretreatment standards and requirements. (95% coverage is the Regional commitment)
  - c. The number of categorical industrial users (CIUs) in non-pretreatment programs
  - d. The number of categorical industrial users (CIUs) that have adequate control mechanisms implementing applicable pretreatment standards and requirements (9/30/07 Jen) <sup>w9</sup>
- 8. Perform inspections on 80% of all approved pretreatment programs, of which 20% will be audits annually. (Ongoing Jen)
- 9. Maintain the Utah AFO/CAFO Strategy. Specific commitments include:
  - a. Develop a new General Permit based on revised CAFO Rules. (ongoing, Don)
  - b. For all permitted CAFOs if available, enter permit facility data, permit event data, and inspection data into ICIS. (Ongoing, Don)
  - c. Inform EPA of annual feeding operations that are impacting water quality (ongoing, Don)
  - d. Conduct meetings of the AFO/CAFO committee and maintain critical partnerships with NRCS, UACD, the Farm Bureau and the agricultural community. (Ongoing, Don)
- 10. Upon promulgation of the Pretreatment Streamlining regulations (anticipated in summer of 2005), examine the need to update State rules and procedures as appropriate to allow for implementation. (12/30/06 Jen)
- 11. Implement the Sewage Sludge (Biosolids) regulations
  - a. % and # of UPDES permits that contain biosolids language. (3/31/07 & 9/30/07 Mark)
  - b. Maintain data in the ICIS database.
  - c. Revise or maintain current reference for regulations based on adoption of 40CFR 503. (Most recently revised as of July, 1998 and August 4, 1999) (ongoing Mark)

## **UPDES Compliance and Enforcement Activities**

1. Ensure maintenance of information management systems sufficient to plan, track, assess, and make adjustments to program activities.
  - a. Properly enter data into the ICS data system such that the federally required data fields are kept current. (Ongoing Mike Herkimer, Edith)
  - b. Data is entered accurately - the ICIS Data Entry Percentage Rate is at 95% or higher and includes permitting, compliance, and enforcement data. This can be measured by USEPA, as needed, for quality assurance purposes. UTDEQ addresses this in its Self Assessment. (Ongoing Mike Herkimer, Edith)
  - c. When Utah has an NPDES facility listed on the Watch List, DWQ agrees to provide quarterly updates to EPA using the Watch List electronic code sheet. (Mike Herkimer/Edith, Ongoing)
2. Non Major Facilities Compliance Report.

Continue to report non-major facilities compliance data the same as majors through the ICIS data management system. (Ongoing Edith/Mike Herkimer)
3. Coordinate inspection activities among programs and between the State and USEPA. Incorporate targeted USEPA national and regional priority sectors, as agreed upon between UTDEQ and USEPA. Include those sectors, as agreed upon, when planning IU inspections by UTDEQ or USEPA. Consider planning inspections to complement timing and focus on watershed efforts. Inspections will be made in accordance with the mutually agreed to annual inspection plan. (Ongoing Lonnie,Jeff)
  - a. Submit draft inspection plan for FY08 by August 1, 2007, and final inspection plan within 30 days of receiving EPA's formal comments on the draft plan (Lonnie)
  - b. Track inspections in ICS. (Ongoing Lonnie, Jeff)
  - c. DWQ will conduct the following number of inspections during FY07  
  
Majors----26  
Minors----42  
Pretreatment (Audits and PCIs)----15
4. Sanitary Sewer Overflows (SSOs)
  - a. Respond to SSO when requested by districts, municipalities, and local health departments as requested or if waters of the State are threatened. (Ongoing Jen)  
CPM E1

- b. Continue to inventory (ask questions of) permittees for SSO occurrences and resolutions through the Municipal Wastewater Planning Program (MWPP) questionnaire.
- c. Submit to EPA Region 8 a report by October 15, 2007 that will include:
  - i. Number of UPDES inspections at major facilities where SSO information was received. 9/30/07 (Jen)
  - ii. An updated SSO inventory from MWPP surveys. (9/30/07Jen)
  - iii. The number of SSOs reported and their cause from the MWPP inventory. (Jen)
  - iv. The number and percent of SSO inspections in priority watersheds (as defined by the State) including the name of the priority watershed.
  - v. The number and type of informal and formal enforcement actions taken in response to SSOs;
  - vi. The percent of enforcement actions in priority watersheds (as defined by the State) for SSO; and
  - vii. A list of SSOs addressed including a description of how 20% of the systems in the SSO inventory were addressed.
- d. The State will take enforcement action as per Utah's EMS whenever deemed necessary to protect waters of the state. (Ongoing Jen) <sup>CPM E6</sup>
- e. Utah will complete an inventory of its collection systems (including satellite systems) in priority watersheds (as defined by the State) and provide the inventory to EPA by December 31, 2006, (Jen).

## 5. Storm Water

- a. Division personnel will conduct at least 228 inspections of permitted and unpermitted facilities including the construction and industrial sectors A, B, C, D, F, H, M, T & W. The 228 inspection will be composed of Construction-186, Industrial MSGP-40, Municipal-2. All inspections are entered into ICIS. (Ongoing Tom, Mike & Rand.) <sup>CPM E5</sup>
- b. Train additional inspectors (DEQ Scientists and Engineers, Municipal Public Works Depts., County Health Depts. and District Engineers) to perform erosion and sediment control inspections at construction sites. This will increase the number of overall storm water inspections performed in the state. (Ongoing Tom, Mike & Rand.)

- c. Provide EPA with a copy of Utah's current storm water permit tracking system semi-annually (10/31/06, 4/30/07), either electronically or on CD-rom. (Tom R.)
  - d. DEQ will update the State Enforcement Response Guide (ERG) to include storm water within six months of EPA's final storm water ERG.
- 6. Assure consistent enforcement of WET requirements in permits.
  - a. Following EPA's review and comment, revise Utah's WET policy and guidelines in order to assure alignment with EPA's national WET policy and/or regulations. Target 120 days following receipt of EPA's final comments. (Ongoing Jeff)
  - b. Enforce UPDES permit WET limits and compliance schedule violations in accordance with the enforcement guidance contained in its February 15, 1991 "Permitting and Enforcement Guidance Document for Whole Effluent Toxicity Control," and any subsequent revisions. (Ongoing Jeff) <sup>W8, E6</sup>
  - c. Utah will submit as part of their annual report, a list of the facilities which have entered into a TIE/TRE during FY06 and a list of any formal enforcement actions which included WET violations, (Jeff).
- 7. Biosolids-Promote the beneficial use of biosolids
  - a. Continue to conduct Biosolids inspections. The goal will be to conduct inspections on 50 % of Utah's biosolids-only permittees annually. In the End-of-Year Report, include the number of Biosolids inspections actually conducted. (Ongoing Mark)
  - b. Reissue all biosolids permits which will expire in FY2007 and transition into consolidated permits as needed. (Ongoing Mark)
  - c. Submit an End-of-Year report to EPA (11/30/2007, Mark S.)
- 8. Enforcement Agreement.
  - a. Revise the State/EPA Enforcement Agreement as appropriate and warranted. (6/1/07, Mike Herkimer.)
  - b. EPA will conduct quarterly conference calls with DWQ to discuss the Quarterly Noncompliance Report for major and minor facilities and current and projected enforcement cases to address concerns early in the process.
  - c. DWQ will add language to its standard Administrative Order template requiring that any schedule which is developed by a facility or DWQ as part of an Order be incorporated as an enforceable portion of the Order. (Mike Herkimer).
  - d. DWQ agrees to evaluate all violations and determine an appropriate response per its EMS and take that action.

- e. DWQ will take timely and appropriate enforcement against facilities in SNC.
  - f. DWQ understands that EPA Region 8 will continue to participate in and to initiate regional and national enforcement cases.
  - g. Region 8 agrees to coordinate with states and will conduct inspections and investigations for regional and national enforcement cases.
  - h. Until State resources become available, EPA will review the DMR-QA results and follow up with facilities. Utah DWQ will be copied on any follow-up. .
9. Concentrated Animal Feeding Operations (CAFOs) (Ongoing Don)
- a. Continue to implement “Utah’s Strategy to Address Pollution from Animal Feeding Operations”
  - b. Maintain an inventory of all permitted CAFOs during FY2007
  - c. Inspect at least 40% of the CAFOs during FY2007 including those also covered by groundwater permits
  - d. Coordinate with the Region to ensure Regional accessibility to CAFO information, including permit, inspection, and enforcement data
  - e. Include in the End-of-Year report for FY2007 (Don):
    - i. Total known number of CAFOs in Utah and of these, the number of permitted CAFOs
    - ii. Total known number of CAFOs in priority areas and of these, the number permitted
    - iii. Names and HUC codes for priority watersheds in the state
    - iv. Numbers and percent of total known CAFOs in Utah inspected
    - v. Numbers and percent of total known CAFOs in priority areas inspected
    - vi. Number of enforcement actions taken against CAFOs, including:
      - Number of settlements
      - For each case, any penalty amount assessed and collected
      - Number of compliance assistance workshops, training sessions, and/or presentations given for AFO/CAFO operators and/or Ag organizations.
  - f. Nutrient Management Plans shall also be tracked in ICIS as a compliance schedule item to say PCS policy.

DWQ will submit copies of all routine CAFO inspection reports and all CAFO enforcement actions to the NPDES Enforcement Unit.

- g. Region 8 will conduct up to two CAFO joint/oversight inspections in Utah
10. Report to EPA in the End Of Year Report the number of the following types of inspections:
- a. Majors (Lonnie, Jeff)
  - b. Minors (Lonnie, Jeff)
  - c. Storm Water (Tom)
  - d. CAFOs (Don)
  - e. Biosolids (Mark)
  - f. SSOs (Jen)
  - g. Pretreatment (Jen)
  - h. Priority Areas (Don)

EPA will determine the number of inspections conducted at midyear (March 31, 2007) by DWQ in each category above by pulling this information from ICIS. Any inspections, which do not appear in ICIS by March 31, 2007, will not be counted in the midyear numbers.

11. EPA Region 8 may propose to inspect, in consultation with the State, certain coal bed methane operations in Region 8 for compliance with the Clean Water Act.
12. <sup>E6</sup>Submit to EPA appropriate enforcement documents at appropriate times as follows: <sup>CPM</sup>
- a. NOVs as they are mailed to the violator (Ongoing DWQ Staff)
  - b. DWQ will provide penalty calculations and all necessary background documentation to EPA for enforcement actions against major facilities and for cases in priority areas (storm water, CAFOs, SSOs) before the information is shared with the facility to allow EPA to evaluate the proposed penalty. EPA will provide written comments on draft settlement documents and penalty calculations within seven calendar days from the date it is received. (Ongoing DWQ Staff)
  - c. SAs for minor permittees and unpermitted facilities after they are settled. (Ongoing DWQ Staff)
  - d. Study and revise as required DWQ's penalty policy associated with enforcement actions. (12/31/06, Mike Herkimer.)

13. Mining

EPA Region 8 will review its current inventory of mining facilities in Region 8, including sand and gravel operations. Based on that review, EPA may propose to conduct joint inspections with the State providing the lead at certain mines in Region 8 for compliance with the Clean Water Act.

14. Federal Facility Inspections

Region 8 will ask DWQ to conduct single and/or multimedia inspections at federal facility NPDES majors with recurrent effluent violations. Region 8 will conduct these inspections if DWQ does not plan to conduct the inspections. Region 8 will ask authorized states to work with EPA to target federal facilities for multimedia inspections. DWQ will be asked to lead the NPDES portion of a multimedia inspection at the selected federal facility. If DWQ does not want to conduct the inspection, EPA will conduct the inspection in lieu of the State.

## **UPDES PERMITS**

1. Implement the Phase II Stormwater Program.

- a. Continue outreach/education activities. (Ongoing)
- b. Engage DWQ staff, District Engineers and municipal and county staff to assist with inspections. (Tom Rushing, Ongoing)

2. Implement the Utah AFO/CAFO strategy.

- a. Implement the new EPA CSFO rules in Utah within six months of issuance of final EPA CAFO rule, (Don)
- b. Issue new CAFO UPDES permit within six months of promulgation of State rules, (Don).

## **TMDL/WATERSHED**

1. Accomplish an effective program for completion and implementation of TMDLs.

- a. Complete and track scheduled TMDLs for listed waterbodies according to approved TMDL submission schedule. (Semi-annual in May and November, Carl Adams) The current submission schedule is shown below. Any waters listed will comply with EPA guidelines to complete TMDLs within a 12 year window. Currently all listed waters since 1998 are scheduled for completion by 2012 inclusive of those listed in 2004. **(WQ-13b)**

Year	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Annual%												
Goal	4%	4%	4%	4%	12%	12%	12%	12%	9%	9%	9%	9%
Cumulative%												
Goal	4%	8%	12%	16%	28%	40%	52%	64%	73%	82%	91%	100%
% TMDLs Completed		18%		36%		65%		82%				

- b. Incorporate by reference into Utah's water quality standards all approved TMDLs within 120 days after the notification of approval by EPA. (Ongoing Carl Adams)
  - c. Utilize existing in-house procedure to insure appropriate waste load and permitting assumptions and policies are incorporated into TMDL development for determination of facility WLAs. (Ongoing Carl Adams)
  - d. Watershed coordinators will monitor and manage implementation activities for completed TMDLs by establishing implementation milestones, identifying milestone leaders and tracking their completion. Tracking reports will be submitted to Division of Water Quality management annually on January 15. (Carl Adams) <sup>WTR</sup>
  - e. Maintain sound fiscal management of contracts by tracking contract amount, expenditures to date and availability of funds to meet obligations via quarterly reports. (Ongoing Carl Adams & Stacy Carroll)
  - f. Maintain, track and report on the status of TMDL progress in support of Utah's Long-Term TMDL Submission Schedule. (November and May of each year Carl Adams)
  - g. Develop analytical components of the Utah Data Assessment and Integration Tool for acquisition of water quality data by DWQ staff, other governmental agencies and the general public. (Carl Adams & Jim Harris 6/1/07)
2. Enhance the coordination with stake holder groups regarding the TMDLs for Utah Lake and Jordan River. (Carl Adams, Jim Harris and Dave Wham)
  3. Monitor implementation activities in watersheds according to milestone dates for activities. (Carl Adams)
  4. Maintain quarterly reporting on TMDL activities. (ongoing, Carl Adams)
  5. Effectively manage TMDL contracts, expenditures and ongoing obligations to assure the sufficiency of funds to complete work activities. (ongoing, Carl Adams and Stacy Carroll)

## ENGINEERING

1. Maintain a successful underground wastewater disposal system program, (Mike H.).

- a. Maintain a positive working relationship with the LHDs. (Ongoing)
- b. Continue to work with USU to provide an effective training, certification and continuing education program. (Ongoing, Ed/Mike H.)
- c. Work with the on-site wastewater committee to revise the regulations governing the design and construction of onsite systems. (Ongoing, with the most recent revision adopted effective May 1, 2006, Ed)

## **GROUND WATER PROTECTION**

1. Maintain an acceptable Underground Injection Control Program per agreement with EPA. The Utah Department of Environmental Quality, Division of Water Quality (Utah DWQ), certifies that it maintains and implements an adequate Underground Injection Control (UIC) Program under Section 1422 of the Safe Drinking Water Act (1422 UIC Program) in conformance with federal and state laws, regulations, and conditions set forth in program authorization (delegation) documents. As long as the Utah DWQ maintains an adequate 1422 UIC Program, the Regional Administrator of the United States Environmental Protection Agency (USEPA) Region VIII and the Director of the Utah DWQ agree this Agreement shall remain in effect, except as amended through mutual agreement. Grant dollars awarded by the USEPA may be used by the Utah DWQ to perform core program activities to adequately maintain its 1422 UIC Program, even when these activities are not specifically defined by goals, measures, and/or reporting requirements. Utah DWQ agrees to conduct core program activities as described in and as evidenced by the submittal of the UIC Program reports itemized in Table I. USEPA agrees to provide the following support to the Utah 1422 UIC Program:
  - a. One annual midyear review of Utah 1422 UIC Program.
  - b. Technical training, as appropriate and as funds allow.
  - c. Seventy-five percent (maximum) of funds necessary to operate the core State 1422 UIC Program, assuming a federal budget funding level near or equal to the past three years. Should funding levels drop significantly, USEPA will review core program elements and provide appropriate revisions.
2. To protect Underground Sources of Drinking Water (USDWs) from contamination by maintaining and implementing an effective core DWQ 1422 UIC Program.
  - a. Evaluation of core program effectiveness, reported in the semi-annual and annual narrative program report to the Administrator. (See Table 1 for specific reporting dates – Semi-Annual and Annual Narratives - Candace) Semi-Annual Narrative Report issued.
  - b. Enforce the new Class V Rule regarding motor vehicle waste disposal (MVWD) wells and large capacity cesspools. MVWD wells are closed or permitted as they are identified. (See Semi-Annual and Annual Narratives for details. (Ongoing, Candace))

- c. Report the number of underground injection wells tested for mechanical integrity to assure that the injection fluid stays within the well and within the injection zone, and the number that passed. (See Table 1 for specific reporting dates - EPA Form 7520-3 - Candace).
  - d. Report the number of Class IV/V injection wells (by well type) closed voluntarily and involuntarily (See Table 1 for specific reporting dates – PAMs Electronic Spreadsheet Report). Provide narrative of other actions taken to identify Class V wells and to address potential endangerment from Class V wells. (See Table 1 for specific reporting dates - Semi-Annual and Annual Narratives - Candace).
- 3. To reduce violations of state Ground Water Quality Standards and National and State Drinking Water Standards through permitting, pollution prevention, compliance, and enforcement measures.
  - a. Number of discharges by industrial Class V and other potentially endangering wells controlled by closure or permit. (See Table 1 for specific reporting dates- PAMs Electronic Spreadsheet Report - Candace).
  - b. Utah UIC Program monitoring activities done according to the EPA-approved Utah DWQ Quality Assurance Plan for the UIC Program (July 5, 1990).
- 4. To encourage responsible environmental behavior and promote excellence in environmental quality through environmental education, community-based partnerships and qualitative and quantitative feedback from regulated and non-regulated customers.
  - a. Description of presentations to local government groups, local health departments, public works departments, private sector groups, civil groups, etc. which include UIC concerns and opportunity for feedback. (See Table 1 for specific reporting dates - Semi-Annual and Annual Narratives - Candace).
  - b. Description of all outreach activities intended to inform local government groups, local health departments, public works departments, private sector groups, civil groups, etc. about the new Class V rule regarding the closure of motor vehicle waste disposal wells (MVWDs) and large capacity cesspools (LCCs). (See Table 1 for specific reporting dates- Semi-Annual and Annual Narratives - Candace).

**Table I - UIC Reporting Requirements FY 2007**

<b><u>Due Date</u></b>	<b><u>Reporting Cycle</u></b>	<b><u>Report Required</u></b>
<u>January 20</u> (1 <sup>st</sup> Quarter Date)	<u>Quarterly</u>	<u>Quarterly Exceptions List (Form 7520-4)</u>
<u>April 20</u> (2 <sup>nd</sup> Quarter Date)	<u>Quarterly,</u> <u>Semi-Annual</u>	<p align="center"><b><u>Quarterly</u></b></p> <u>Quarterly Exceptions List (Form 7520-4)</u> <p align="center"><b><u>Semi-Annual</u></b></p> <u>Compliance Evaluation and Enforcement (Form 7520-2A)</u> <u>Significant Non-Compliance and Enforcement (Form 7520-2B)</u> <u>Inspections, and Mechanical Integrity Testing (Form 7520-3)</u> <u>Program Activity Measures (PAMs) Electronic Spreadsheet Report OR "Extra Reports"</u> <u>Class V Activities Narrative</u>
<u>July 20</u> (3 <sup>rd</sup> Quarter Date)	<u>Quarterly</u>	<u>Quarterly Exceptions List (Form 7520-4)</u>
<u>October 20</u> (4 <sup>th</sup> Quarter Date)	<u>Quarterly,</u> <u>Semi-Annual,</u> <u>Annual</u>	<p align="center"><b><u>Quarterly</u></b></p> <u>Quarterly Exceptions List (Form 7520-4)</u> <p align="center"><b><u>Semi-Annual</u></b></p> <u>Compliance Evaluation and Enforcement (Form 7520-2A)</u> <u>Significant Non-Compliance and Enforcement (Form 7520-2B)</u> <u>Inspections, and Mechanical Integrity Testing (Form 7520-3)</u> <u>Program Activity Measures (PAMs) Electronic Spreadsheet Report OR "Extra Reports"</u> <p align="center"><b><u>Annual</u></b></p> <u>Permit Review and Issuance, AOR (Form 7520-1)</u> <u>Annual Program Narrative</u> <u>Class V Inventory Progress</u>
<u>December 31</u>	<u>Annual</u>	<u>Final Financial Status Report (FSR)</u>

5. Continue administration of a comprehensive ground water protection program according to priorities established in Utah Ground Water Protection Strategy and the annual FY 2007 Division of Water Quality/Goals and Objectives.

**Measures:**

- a. End-of-year report as required by 106 grant on achievement of FY 2006 DWQ/Ground Water Program Goals and objectives. (Rob due 9/31/07)
- b. Statewide Permitting Program administered in accordance with strategy and state rules. (Rob and Section, ongoing)
- c. Education efforts conducted to encourage awareness of ground water protection issues. (Bill Damery ongoing)
- d. Continue participation in the EPA Region VIII Ground Water Protection Strategy Work Group. The intent is to help EPA develop a regional strategy for refocusing EPA and Region VIII States efforts on ground-water protection. (Bill Damery ongoing)
- e. Continued efforts to encourage local governments to institute ground water protection measures. Classifying aquifers within the State has been instrumental for local officials in implementing successful ground water protection land use ordinances. (Rob and Section ongoing)
- f. Continue to seek permanent annual funding for the implementation of a state-wide ambient ground water monitoring network for the ground water classification of aquifers. (Bill Damery ongoing)

**WATER QUALITY MANAGEMENT**

1. Maintain strong State and local institutional capabilities to implement Watershed Approach for TMDL development and implementation of the Nonpoint Source Program.<sup>WTR</sup>
  - ◆ Continue active support of Partners for Conservation and Development (UPC&D)
  - ◆ Utilize and enhance State GIS capabilities for watershed planning and implementation.
  - ◆ Submit 319 mid-year and annual reports and maintain Nonpoint Source Grants Reporting and Tracking System (GRTS).
  - ◆ Continue implementation of upgraded NPS Pollution Management Program Plan. Develop components related to stormwater/urban runoff. Develop a schedule and begin revision/update of the NPS Pollution Management Plan by 2007.

- ◆ Develop and pursue approval for stormwater/urban run-off component of the Management Plan.
- ◆ Develop and enhance cooperative relations with the Utah Division of Wildlife Resources (DWR) to protect and expand Blue Ribbon Fishery waters.

**Measures:**

- a. Continued development and revision of base data layers for watershed management unit status reports and TMDL plans including maps of 303(d) waters and other environmental features. (NPS Plan Task 26) <sup>CPM W13</sup>
  - b. GRTS is updated semi-annually and reports are submitted according to July 1<sup>st</sup> and January 1<sup>st</sup> deadlines. (NPS Plan Task 33)
  - c. Complete revision of stormwater/urban run-off plan by April 2007.
  - d. Submission of NPS Annual Report. (1/31/07)
  - e. Participate with DWR through its Blue Ribbon Fishery program in the acquisition/protection of stream corridors.
2. Ensure that federal land management is consistent with State Nonpoint Source Pollution Management Plan and watershed needs and concerns:
- ◆ Conduct annual program/project/monitoring review meeting.
  - ◆ Conduct field audits on selected projects and review federal actions.
  - ◆ Implement cooperative monitoring programs and work jointly for consistent procedures and protocols.
  - ◆ Evaluate need and establish schedule as resources permit to revise MOUs with Forest Service and BLM.
  - ◆ Work closely with federal land management agencies to identify the 303(d) listed waters on federal lands and work jointly to develop and implement TMDL per agreement between FS and EPA.

**Measures:**

- a. % of stream miles and lake acres monitored which meet designated uses for aquatic life and recreation on public lands (NPS Plan Task 3) <sup>CPM W4</sup>
- b. Completed field project reviews with documented observations and recommendations summarized in NPS Program Annual Report. (NPS Plan Task 29)

- c. Number of 303(d) water bodies (streams and lakes) located on public lands (FS and BLM) and number of TMDLs developed in conjunction with and support of FS or BLM. Report results in EOY report for the PPA and NPS annual report. (NPS Plan Tasks 3 & 5)
  - d. Depending upon resource constraints related to fires and other management priorities, work jointly to revise memorandum of understanding with FS and BLM (NPS Plan Task 20)
3. Improve public awareness and support of TMDL development and implementation through the watershed approach and nonpoint source program:<sup>WTR</sup>
- ◆ Continue to work on revising the 1995 NPS I&E strategy to support development and implementation of TMDLs and other NPS Program priorities.
  - ◆ Increase non-governmental partnership in implementing the Watershed Approach developed TMDLs and NPS Management Program.
  - ◆ Promote the Watershed Approach to TMDL development via conferences, newsletters and basin workshops and through the Utah Watershed Coordinating Council.

**Measures:**

- a. Number of new Adopt-A-Waterbody groups and number of groups linked to TMDL waters. (NPS Plan Tasks 16 & 17)
  - b. Provide input and assistance to the annual Nonpoint Source Water Quality conference.
  - c. Revised NPS Program I&E Outreach Strategy. Target completion date is March, 2007. (NPS Plan Task 17)
  - d. Document public information actions completed to promote Watershed Approach/TMDL planning process and other key program actions, i.e. WQS, and 303(d) listing. Such actions will be reported in the EOY PPA report. (NPS Plan Task 15)
4. Implement nonpoint source best management measures on a priority water quality protection/improvement basis supporting the implementation of TMDLs.<sup>WTR</sup>
- ◆ The state will continue implementation of Utah AFO/CAFO strategy and report results.
  - ◆ Solicit and review priority project proposals, PIPs and prepare 319 application.
  - ◆ Monitor and evaluate project implementation jointly with local sponsors.

- ◆ Conduct watershed evaluations and write reports for selected 319 watershed projects with assistance of ‘partners’ (cooperating agencies).
- ◆ Report non-319 investment in watershed restoration projects by other entities through participation in watershed based/TMDL process.

**Measures:**

- a. Assess and report according to 305(b) cycle, the number and percent of lake acres and stream miles monitored which have water quality supporting designated beneficial uses. (NPS Plan Tasks 3 & 5)
  - b. Report those waters identified on 2000 303(d) list of impaired waters or subsequent 303(d) lists where those waters have been restored to partial or full attainment of assessed beneficial uses. (WQ-15)<sup>CPM W5</sup>
  - c. Practices implemented appropriately and effectively and natural resource improvements being achieved for 319 NPS Watershed Projects. Also report on reductions in nonpoint source loadings for sediments, nitrogen and phosphorus and improvements in water quality for information available. Information will be included in project annual reports (GRTS), final project reports and NPS Program annual report. (NPS Plan Tasks 2, 6, 36 & 40)<sup>(WQ-14)</sup>
  - d. Report non-319 funding in watershed protection/restoration projects in project annual and final reports. (NPS Plan Task 34)
  - e. Report progress in implementing Utah AFO/CAFO Strategy through semi-annual reports to ‘partners’ and an annual progress summary report. (NPS Plan Task 34)
  - f. Continue to provide information on fish consumption advisories through the National Listing of Fish and Wildlife Advisories. Such state advisories are posted on the DEQ/DWQ Web site at [www.waterquality.utah.gov](http://www.waterquality.utah.gov).<sup>CPM W3</sup>
  - g. Report (A) number of the Nation’s watersheds where: water quality standards are met in at least 80% of the assessed water segments. It is anticipated that Utah will have no watersheds at the HUC level requested to report this level of achievement. This level of resolution is far to large. Utah’s approach to assessment, TMDL development and implementation is on a much smaller scale. We will report on specific TMDL approved waterbodies where restoration has restored beneficial uses. In addition we will not be able to report (B) all assessed water segments maintaining their quality and at least 20 percent of assessed water segments show improvement above conditions as of 2002. (WQ-15)<sup>CPM W6</sup>
5. Implement aggressively the watershed approach to water quality assessment and TMDL development and implementation in Utah to complete assessments and develop TMDLs for impaired waters according to the approved 303(d) list.<sup>WTR</sup>

- ◆ Provide leadership and direction in promoting the Watershed Approach in developing TMDLs for targeted areas of impairment.
- ◆ Complete integrated report pursuant to CWA Sections 303(d) and 305(b) and submit to EPA by April 1, 2008. **(WQ-10)**
- ◆ Direct the development of local basin Steering Committees and Technical Advisory groups to oversee development and implementation of TMDL watershed based plans.
- ◆ Work with USDA/NRCS to promote the integration of EQIP funding into the watershed approach basin NPS priority areas by participation in the Local Work Groups, Zone Executive Committee Meetings, State Technical Committees.
- ◆ Utilize local watershed steering and technical advisory committees to develop TMDLs or watershed plans in accordance with Utah's Watershed Approach Framework or EPA's FY 04 NPS Grant Guidelines.
- ◆ Establish local watershed coordinator positions for high priority watersheds.

**Measures:**

- a. Number of developed TMDLs or Watershed Plans and identify those in progress. (NPS Plan Task 4)
- b. Number of basin steering and technical advisory committees formed and functioning. (NPS Plan Tasks 9 & 10)
- c. Number of watershed-based plans and ( river miles or acres covered), supported under State NPS Management Programs since beginning of FY-2002 that have been substantially implemented per information reported in GRTS. **(WQ-27)**
- d. Number of watershed-based plans and water miles or acres covered, supported under State NPS Management Programs since beginning of FY-2002 that have been developed and number of watershed-based plans are being implemented per information reported in GRTS.
- e. Complete integrated 305(b) and 303(d) report/list by April 1, 2008. Also update the EPA Assessment Database. **(WQ-11)**
- f. Number of priority NPS watershed areas where EQIP funds are being used. Report allocation of EQIP funds to 303(d) waters and approved TMDL watersheds. (NPS Plan Task 34)
- g. Number of priority watershed coordinator positions developed and functioning according to contract work plans. (NPS Plan Task 9)

6. Maintain Water Quality Standards as the basis for effective water quality management and assessment programs.

**Measures:**

- a. Complete triennial review of WQS and submit to the EPA Regional Administrator for review and approval. (Feb 2007) **(WQ-5a/6a)**
  - b. Continue implementation of Nutrient Criteria Development Plan. Provide annual progress report to EPA (February). **(WQ-2)**
7. Maintain compliance with Section 303(d) list submittal requirements and completion of scheduled TMDLs as negotiated with EPA (1998).

**Measures:**

- a. Submit FY-2008 303(d) list to EPA on or before April 1, 2008. The list will identify TMDLs completed during reporting period and those proposed for completion during next reporting period, waters proposed for delisting based on criteria, and waters proposed for development of site specific criteria or alteration of water quality standards. (NPS Plan Task 3 & 5) **(WQ-10)** <sup>CPM W6</sup>
8. Develop and implement a long-term biological assessment program **(WQ-3)**:

Traditionally Utah's Division of Water Quality (UDWQ) has focused on assessing the chemical integrity of stream ecosystems. Biological samples were collected at a number of long-term locations, but these data were primarily used to monitor qualitative changes in the composition of macroinvertebrate assemblages at these sites. Recently the DWQ has moved toward creating tools that will allow the state to quantify the biological integrity of Utah's stream ecosystems. Supplemental FY-2005 CWA Section 106 grant dollars will be used for additional processing and monitoring expenses incurred with the expansion of the biological assessment program.

Increase the number of yearly biological sample locations from ~24 to ~74 and use these data to support a number of water quality programs:

- Continue to sample 5-10 reference sites per year to enhance biological assessment tools.
- Sample new locations within rotating basins to quantify the biological integrity of state waters that have not been assessed (303(d) list).
- Use biological assessment data to help set endpoint targets for TMDL implementation.
- Sample at locations identified as in need of further study to determine impairment status.

- Continue to sample long-term sites to develop long-term trends of biological integrity.

**Measures:**

- Develop an annual biological monitoring strategy that best balances the programmatic needs of stakeholders and make the list of sites available for review. (8/1/06)
- Collect physical habitat, macroinvertebrate, and periphyton samples at ~70 streams annually to provide the data necessary to augment assessment tools and fulfill both TMDL and 303(d) assessment needs. (11/1/06).
- Analyze existing reference data and develop a report that identifies specific types of streams where additional reference data are needed. ( 5/1/07)
- Digitize both field and laboratory data and store in a readily accessible database. (ongoing)
- Collect periphyton samples at all biological monitoring sites and preserve them such that diatoms can be enumerated and identified. ( 11/1/06)
- Compare assessments made with diatoms with those made with macroinvertebrates to determine stressors-specific responses of each assemblage. ( ongoing)
- Develop an autecology table that links diatom taxa to characteristics that describe water quality.
- Develop tools that generate easily-interpretable, quantitative estimates of biological integrity from raw taxonomic lists.
- Compile and utilize existing biological data to create preliminary site assessments and include these assessments in the 2008 Integrated Report. ( 12/01/2006)
- Develop, evaluate, and refine a macroinvertebrate RIVPACS-type empirical model. (11/1/06).
- Develop, calibrate, and refine macroinvertebrate multimetric indices for the major ecoregions of the State. (11/1/06)
- Evaluate all assessment tools and determine appropriate thresholds of impairment and develop a procedure for incorporating these measures into the listing process. ( 2007)
- Document all procedures and analyses used in tool development so that all methodology is transparent. (2007)

## MONITORING

1. Establish an effective Monitoring Program. <sup>RGI</sup>
  - a. Prepare a DWQ annual monitoring plan for chemistry, bioassessment, physical habitat, fish, fish tissue and pathogens based upon needs and use of the data. Distribute copies to EPA and post on DWQ website. (4/15/07 Richard & Tom).
  - b. Work with EPA to implement the long-term (ten years) monitoring and assessment strategy plan for Utah. (Ongoing Richard) **(WQ-07)**
  - c. Download from EPA the remaining EMAP data upon availability for use in assessments. (Ongoing Jeff)
  - d. Implement biological and ambient ground water monitoring program using incremental 106 funding. (Richard/Jeff/Bill D. Ongoing)
  - e. Continue the program for characterizing the beneficial use of the wetlands of Great Salt Lake. Biological measures include, but are not limited to vegetation, macroinvertebrates, and phytoplankton to the extent funding is available. Coordinate with the Department of Natural Resources of HGM and wetland reference sites. This effort contributes to the watershed planning in the Great Salt Lake Basin. EPA will provide technical assistance. (Theron Miller,Ongoing)
  - f. Renew contracts with bug lab (microinvertebrates) and Dr. Sam Rushforth (periphyton & phytoplankton. (7/01/07 Jeff/Richard)
  - g. Continue to implement a statewide mercury in fish tissue monitoring component as part of the long-term monitoring strategy as funding is available. (John Whitehead,Ongoing)
    - 1) Develop protocol for listing of impaired waters. (John Whitehead/Tom Toole, 3/1/2007)
    - 2) Continue to utilize the established workgroup to provide guidance and recommendations for the mercury monitoring program. (John Whitehead, Ongoing)
    - 3) Participate in the issuing of mercury fish consumption advisories as needed. (John Whitehead Ongoing<sup>MERC</sup>)
    - 4) Implement a mercury monitoring program for the Great Salt Lake including water, sediment, waterfowl, and waterfowl food chain as funding is made available
2. Develop a plan for the development of a new data base to replace STORET in consultation with EPA and other involved states. (Arne)

3. Evaluate the effect on DEQ of new Department of Health Work Time Units (WTUs). (Harry, Richard and Arne)

## **SPECIAL STUDIES**

1. Draw preliminary conclusions on nutrient loadings and their effect on Farmington Bay and its associated wetlands and make recommendations to the WQB. (Theron Miller).
2. Effectively lead the work of the GSL Steering Committee and Science Panel. (ongoing, Walt Baker, Bill Moellmer, Rino Dicaldo)
3. Complete work on the Mining Plan Component to the NPS Management Plan. (Ying-Ying Macauley)
4. Continue to chair the Mercury Work Group. (John Whitehead) **(FS-1a)**

## **II. CUSTOMER SERVICE**

### **DWQ**

1. Foster integrated information management.

#### **Measures:**

- a. Continue efforts to convert PCS to ICIS. (ongoing, Mike Herkimer and Edith Van Fleet).
  - b. Continue efforts to implement a division document management system. (ongoing, Kiran Bhayani).
  - c. Implement the division's portion of the IT Delivery Plan. (ongoing, Harry Judd)
  - d. Investigate opportunities to more fully use video conferencing opportunities with LHDs, EPA and others. (Harry Judd).
  - e. Enhance DWQ web page. (December 1, 2005, Dave Wham).
  - f. Continue to utilize Groupwise for calendaring, MOUs, division processes, emergency incidents, OOS travel, administrative rules, staff schedules, etc. (All)
2. Implement Core Programs

#### **Measures:**

- a. Develop an improved and division-wide means to obtain customer feedback. (John Whitehead)
- b. Continue to enhance the storm water inspection program. (John Whitehead and Mike Herkimer)

- c. Actively participate in the Legislative Water Task Force as instream flow, water conservation and water funding issues are studied.(ongoing, John Kennington)
- d. Develop rules for CAFO permits following EPA's promulgation of its regulations. (Don Hall)
- e. Renegotiate the Enforcement Agreement with EPA. (John Whitehead)
- f. Continue to effectively manage the level of federal carry-over funds. (Stacy Carroll)
- g. Develop a means to retain in our files CNMPs for all permits under the new EPA CAFO Rule. (Don Hall)
- h. Revise the UPDES Penalty Policy in conjunction with EPA. (Mike Herkimer)

### **III STATE-BASED REGULATION OF ENVIRONMENTAL PROGRAMS**

#### **DWQ**

1. Complete rulemaking and policy making activities with effective stakeholder involvement

#### **Measures:**

- a. Develop rules to govern wastewater reuse. (Ed Macauley)
- b. Develop administrative rules for Use Attainability Analyses. (Dave Wham)
- c. Revise UIC rules. (Candace Cady).
- d. Incorporate 303(d) listing criteria into administrative rule. (Tom Toole)
- e. Fully develop biological water quality indicators into the Integrated Report. (Tom Toole and Jeff Ostermiller)
- f. Resolve how we will go forward with storm water administrative rules. (Ed Macauley)
- g. Develop ground water rules pertaining to FML/clay liners in agricultural lagoon applications. (Rob Herbert)
- h. Revise UPDES rules to allow stand-alone rules for AFO/CAFOs, storm water, pretreatment, biosolids, etc. (Mike Herkimer)
- i. Establish a stakeholder group to make recommendations on revisions to R317-3. (Ed Macauley)
- j. Complete triennial water quality standards review. (Bill Moellmer)

- k. Update TMDL rules by including recently completed TMDLs. (Carl Adams)
  - l. Establish a stakeholder group to make recommendations on revisions to R317-4 addressing Tiered Aquatic Life Use (TALU) designations, biological tools, and nutrient criteria. (Bill Moellmer, Jeff Ostermiller and Theron Miller 9/1/06)
  - m. Incorporate Tax Exemption criteria into administrative rule. (Rino Dicataldo)
2. Legislative Goals

**Measures:**

- a. Develop legislation to institute a “Loan Origination Fee” on all wastewater loans to allow the discontinuance of current administrative fees. (Ed Macauley)
- b. Develop legislation to initiate Operating Permits for all non-discharging wastewater treatment facilities. (John Kennington)
- c. Develop a plan to institute on-going funding for mercury and PCB investigations. (John Whitehead)<sup>MERC</sup>
- d. Develop legislation to provide grants to NPS pollution projects and increased flexibility to fund important water quality studies. (Walt Baker)

#### **IV PARTNERSHIP WITH FEDERAL, STATE, LOCAL AND TRIBAL GOVERNMENTS**

##### **DWQ**

- 1. Effectively implement the DEQ initiative on subdivisions and growth with local health departments by completing a model ordinance. (Bill Damery, 6/1/2006).
- 2. Coordinate with GOPB to assist communities with proper planning for the impacts of growth on wastewater needs as a part of Quality Growth planning.
  - a. Review and comment upon the wastewater management section of each communities Quality Growth plan. Perform the review using the checklist developed for a model sewer management plan. (Ed Macauley, Ongoing)
  - b. Revise and update the MWPP and foster increased participation. (Ongoing Paul)
  - c. Allocate funding for good wastewater infrastructure planning. (Ongoing Ed)
  - d. Strengthen community outreach activities. (Ongoing Ed, Shelly)

#### **V EMPLOYEES**

##### **DWQ**

1. Improve DWQ Morale

**Measures:**

- a. Effectively utilize the incentive award program. (DWQ Administration)
  - Establish an on-going tracking procedure
  - Receive periodic updates from HRM
  - Investigate means to reward division “teams”
- b. Utilize employee committees to investigate improvement opportunities that were identified in the employee survey and develop plans to address them. (Employee Committee)
- c. Select the “Idea-of-the-Month” from the suggestion box, implement as many as practicable and respond individually to all those that presented ideas. (Employee Committee)
- d. Encourage the department to implement the division “Plan.” (Walt Baker, John Whitehead and Harry Judd)
  - ASIs
  - Reorganization
- e. A personal meeting will be held with each new division employee. (Walt Baker)
- f. Investigate opportunities for intra-office activities to foster comradery. (Employee Committee)

2. Implement Personnel Measures

**Measures:**

- a. Develop the division’s Employee Handbook. (Monique Rodriguez and Mary Fugate)
- b. Provide every employee with at least one professional development training opportunity annually and track these opportunities. (Managers)
  - Institute means whereby employees can share with other staff the significant aspects of the training that is received
  - Investigate training that does not impinge upon the out-of-state travel budget

- Work with EPA to incorporate needed staff travel into applicable grants
- c. Track Professional Engineer and Professional Geologist continuing education units. (Dan R)
- d. Continue implementing the Breakfast Club” brown bags. (Employee Committee)
- e. Encourage participation in CPM classes for interested employees. (DWQ Managers)
- f. Actively participate in DEQ training events and track the participation. (Faye Bell)
- g. Work with EDO to increase DWQ OOS travel budget. (Walt Baker)

## **VI    ENHANCE POLICYMAKERS’ UNDERSTANDING OF ENVIRONMENTAL ISSUES**

### **DWQ**

1. Instruct and educate Water Quality Board members in their responsibilities
  - a. Conduct a WQB work meeting at every formal board meeting to educate board members of important program activities. (Walt Baker)
  - b. Communicate a summary of enforcement actions to the WQB. (Walt Baker)